

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**

**INTELLECTUAL PROPERTY LAW**

**8110 GATEHOUSE ROAD**

**SUITE 500 EAST**

**FALLS CHURCH, VA 22042-1210**

**USA**

(703) 205-8000

FAX (703) 205-8050

(703) 698-8590 (G IV)

e-mail: [mailroom@bskb.com](mailto:mailroom@bskb.com)

web: <http://www.bskb.com>

**CALIFORNIA OFFICE**  
**COSTA MESA, CALIFORNIA**

SCOTT L. LOWE  
PAUL C. LEWIS  
RICHARD J. GALLAGHER  
JAYNE M. SAYDAH\*  
MARYANNE ARMSTRONG  
KECIA J. REYNOLDS  
ROBERT L. SCOTT, II  
KALPANA REDDY  
MARK E. OLDS  
ESTHER H. CHONG  
CATHERINE M. VOISINET\*  
EUGENE T. PEREZ

REG. PATENT AGENTS:  
FREDERICK R. HANDREN  
MAKI HATSUMI  
CRAIG A. McROBBIE  
GARTH M. DAHLEN, PH D  
ROBERT E. GOOZNER, PH D  
KRISTI L. RUPERT, PH D  
MATTHEW T. SHANLEY  
SUSAN W. GORMAN, PH D  
DAVID J. CHO  
ROBERT W. DOWNS

TERRELL C. BIRCH  
RAYMOND C. STEWART  
JOSEPH A. KOLASCH  
JAMES M. SLATTERY  
BERNARD L. SWEENEY\*  
MICHAEL K. MUTTER  
CHARLES GORENSTEIN  
GERALD M. MURPHY, JR  
LEONARD R. SVENSSON  
ANDREW D. MEIKLE  
MARC S. WEINER  
JOE McKINNEY MUNCY  
ROBERT J. KENNEY  
JOHN W. BAILEY  
MARK J. NUEL, PH.D.  
JAMES T. ELLER, JR.  
D. RICHARD ANDERSON

OF COUNSEL:  
HERBERT M. BIRCH (1905-1996)  
ELLIOT A. GOLDBERG\*  
WILLIAM L. GATES\*  
EDWARD H. VALANCE  
RUPERT J. BRADY (RET)\*  
F. PRINCE BUTLER  
FRED S. WHISENHUNT  
JAMES W. HELLWEGE

\*ADMITTED TO A BAR OTHER THAN VA

Date: December 26, 2001

Docket No.: 0941-0382P

**BOX PATENT APPLICATION**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Yueh-Chuan LEE, Shih-Lung CHEN, Jin-Shing  
HUANG and, Wen-Sheng LEE

For: METHOD OF FORMING A CAPACITOR DIELECTRIC STRUCTURE

Enclosed are:

- ☒ A specification consisting of twelve (12) pages
- ☒ four (4) sheet(s) formal drawings/
- ☒ An assignment of the invention ✓
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27
- ☐ Applicant does not claim priority
- ☒ Applicant claims the right of priority based on Application No(s). 90128030 filed in Taiwan on November 21, 2001.
  - ☐ Certified copy(ies) is(are) attached hereto.
  - ☒ Certified copy(ies) will follow.

☒ Amend the specification by inserting before the first line thereof the following:

a. ☒ --This nonprovisional application claims priority under 35 U.S.C. § 119(a) on Patent Application No. 90128030 filed in Taiwan on November 21, 2001, which is herein incorporated by reference.--

b. ☐ --This nonprovisional application claims priority under 35 U.S.C. § 119(e) on U.S. Provisional Application No. \_\_\_\_\_ filed on \_\_\_\_\_, which is herein incorporated by reference.--

☒ Executed Declaration (☒ Original ☐ Photocopy)

☒ Application Data Sheet in accordance with 37 C.F.R. § 1.76

☐ Preliminary Amendment

☐ Information Disclosure Statement, PTO-1449 and reference(s)

☐ Other:

☐ Applicant requests early publication - \$300.00 publication fee

☐ Non-publication Request and Certification under 35 U.S.C. § 122(b) (2) (B) (i)

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$740.00	\$370.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	20- 20 =	0	X 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	3- 3 =	0	x 84 = \$0.00	x 42 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
TOTAL			\$740.00	\$0.00

- ☒ A check in the amount of \$780.00 to cover the filing fee and recording fee (if applicable) is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- ☒ Please send correspondence to:  
BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 2292  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Joe McKinney Muncy, #32,334  
P.O. Box 747

#22923

KM/kdb

0941-0382P

Falls Church, VA 22040-0747  
(703) 205-8000

Attachments